

**DURHAM, NORTH CAROLINA  
MONDAY, AUGUST 6, 2001  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Stith, McKissick and Wagstaff. Absent: Council Member Larson.

Also present: City Manager Marcia L. Conner, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda E. Bratcher.

Mayor Tennyson called the meeting to order and at that time, he acknowledged Thomas Davis. Mr. Davis read an "Ode to the Durham City Council" praising them for a wonderful job.

Council Member Langley stated that she would not be able to attend National Night Out on tomorrow due to a prior commitment.

Mayor Tennyson reminded his colleagues that National Night Out is scheduled for Tuesday, August 7<sup>th</sup> at 6:00 p.m.

Mayor Tennyson asked for priority items from the City Manager, City Attorney and City Clerk. Relative to Supplemental Item #1 [REVIEW OF LOANS AND NON-CITY AGENCY CONTRACTS], City Manager Marcia Conner noted that the Finance Committee authorized her to bring forward this item in review of the City's various loan programs.

Also, City Manager Conner stated that the County Commissioners voted unanimously to proceed for the expansion and upgrade of Triangle Wastewater Treatment Plant. She noted this confirms that the County wants to move forward with the proposal to accommodate acquisition for the plant which has been estimated at \$40 million. Also, she stated the administration would report back with other alternatives in terms of impact and whether there is some other consideration the City may want to consider.

Mayor Tennyson requested a more detailed report on this item.

Terry Rolan, Director of Environmental Resources, briefed Council on the County Commissioners' meeting noting that they approved moving forward with the expansion and stated any proposal from the City would have to be consistent with their plan to expand the plant. Also, he noted the County is moving forward with Phase I of the project design and relative to Phase II, their staff was given direction to move forward with the completion of that design and the bidding of the full expansion later on. Also, he noted that the second phase could be done in multiple phases.

Council Member McKissick requested continued dialogue relative to the timeline and scope of services for Phase I.

**August 6, 2001**

Mayor Pro Tempore Clement expressed concern about the action taken by the County Commissioners noting the \$42 million needs to go to our schools.

Mayor Tennyson requested dialogue relative to the question of beautifying the sewer service for the County.

There were no priority items from the City Attorney and City Clerk.

Mayor Tennyson noted revisions to the Consent Agenda made at the Committee-of-the-Whole Meeting. Mayor Tennyson asked if any citizen(s) or council member(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting.

Consent Agenda Item #20 [CHAPEL HILL STREET/MAIN STREET TWO-WAY CONVERSION ENGINEERING SERVICES] was pulled from the Consent Agenda by Barbara Namkoong, representing West Main Street Condominium Association.

Council Member McKissick noted that he would be voting no on Consent Agenda Item #6 [COMPUTER LEASE AGREEMENT - EPLUS GROUP, INC.]

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to approve the Consent Agenda as amended was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**[CONSENT AGENDA]**

**SUBJECT: HUMAN RELATIONS COMMISSION - REAPPOINTMENT**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to reappoint Carolyn M. Davis, Minority Member, to the Human Relations Commission for a three-year term to expire June 30, 2004 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: DURHAM CIVIC CENTER AUTHORITY - REAPPOINTMENT**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to reappoint Rodney E. Abraham to the Durham Civic Center for a three-year term to expire July 31, 2004 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**August 6, 2001**

**SUBJECT: FISCAL YEAR 2001-2002 BUDGET ORDINANCE AMENDMENT #2 -  
SOLID WASTE RUBBLE LANDFILL EQUIPMENT**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt "An Ordinance Amending the 2001-2002 City of Durham Budget Ordinance, the Same Being Ordinance 12336" was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12350**

**SUBJECT: TRANSIT PLANNING GRANT FISCAL YEAR 2001-2002 PROJECT  
ORDINANCE AMENDMENTS**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt a "City of Durham Grant Project Ordinance Superseding Ordinance #12237 FY 2001-2002 Transit Planning Grant"; and

To adopt a "City of Durham Grant Project Ordinance Superseding Ordinance #12327 FY 2001-2002 Transit Capital Grants" was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12351 - 12352**

**SUBJECT: REVISION OF GRANT PROJECT ORDINANCE #11263 CONCERNING  
THE CONTROLLED SUBSTANCE TAX DISTRIBUTION PROJECT**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt the "Revision of Grant Project Ordinance #11263 Concerning the City of Durham and State of North Carolina Controlled Substance Tax Distribution Project Ordinance FY 1998" which reflects the actual revenue and accrued interest for the Controlled Substance Tax Distribution Funds FY 1998 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12353**

**SUBJECT: COMPUTER LEASE AGREEMENT - EPLUS GROUP, INC.**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member

**August 6, 2001**

Jacobs to authorize the City Manager to execute a 36-month computer lease agreement with ePlus Group, Inc., in the amount of \$389,625.60, and to authorize the City Manager to make changes to the agreement such that the amount paid by the City does not increase and the Lessor's obligations are not decreased was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Stith and Wagstaff. Noes: Council Member McKissick. Absent: Council Member Larson.

**SUBJECT: CLEAN-UP AND GRADING IN DURHAM CENTRAL PARK - EARTH WORK SOLUTIONS LLC**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to authorize the City Manager to enter into a Right of Entry Agreement with Earth Work Solutions LLC at no cost to the City to clean and grade the eastern portion of Durham Central Park on Foster Street at Rigsbee Avenue--subject to receiving written confirmation that insurance coverage is in place; and

To authorize the City Manager to make changes to the Agreement provided the changes are consistent with this agenda item was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) RENEWAL COMMUNITY DESIGNATION FOR THE CITY OF DURHAM**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to authorize the Department of Housing and Community Development to apply for Renewal Community Status from HUD -- deadline for submission is October 12, 2001 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: TRANSIT ORIENTED DEVELOPMENT - LOWES GROVE ELEMENTARY SCHOOL**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to discuss a proposal concerning transit oriented development; and

To refer the Transit Oriented Development Proposal--Lowes Grove Elementary School to the City Manager for her to work with City Staff and her counterparts at the County and Durham Public Schools to explore and evaluate the proposal and to report back to City Council was approved at 7:16 p.m. by the following vote:

**August 6, 2001**

Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: DISCUSSION OF PROPOSED LOCAL OPTION SALES TAX**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to continue the discussion of the proposed local option sales tax was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: CITIZENS ADVISORY COMMITTEE - REAPPOINTMENTS**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to reappoint Gholam Mainuddin and James M. Reingruber, City-Wide Members to the Citizens Advisory Committee for three-year terms to expire June 30, 2004 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: DURHAM OPEN SPACE AND TRAILS COMMISSION - APPOINTMENTS**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to reappoint Valjeanne Jones-Williams, representing Ward 3, and to appoint Lori Olson, At-Large representative, to the Durham Open Space & Trails Commission for three-year terms to expire June 30, 2004 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: RECREATION ADVISORY COMMITTEE - APPOINTMENTS**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to appoint George R. Dubay, Destry Jordan, and Keith A. McLamb, terms to expire August 8, 2004, and Nancy Winter, term to expire August 8, 2003, to the Recreation Advisory Committee was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**August 6, 2001**

**SUBJECT: PRESENTATION FROM THE DURHAM FITNESS LEADERSHIP COUNCIL**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to receive a presentation from the Durham Fitness Leadership Council was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: CONTRACT FOR ENGINEERING SERVICES FOR METHANE GAS UTILIZATION - STEARNS AND WHELER, PLLC**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to authorize the City Manager to execute a contract with Stearns and Wheeler, PLLC in the amount of \$162,580 for engineering services for the methane gas utilization project; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by City Council was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: ADDENDUM TO UPDATE OF SOLID WASTE MANAGEMENT PLAN**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt a resolution in support of the Addendum to the Update to the Comprehensive Solid Waste Management Plan dated July 2001; and

To authorize City Manager to make changes to the Addendum consistent with this agenda item was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Resolution #8791**

**SUBJECT: FAYETTEVILLE ROAD WIDENING PROJECT - ACQUISITION OF PROPERTIES -**

- a. Acquisition of Property Located at 6408 Fayetteville Road, Tax Map 524-01-003A- Alicia M. White

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to approve the acquisition of property of Alicia M. White

**August 6, 2001**

located at 6408 Fayetteville Road for \$450,000 for the Fayetteville Road widening project was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**b. Acquisition of Property Located at 6412 Fayetteville Road,  
Tax Map 524-01-007 - C. M. and H. E. Hutson Estate**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to approve the acquisition of property of the C. M. and H. E. Hutson Estate located at 6412 Fayetteville Road for \$165,000 for the Fayetteville Road widening project was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: CONSTRUCTION CONTRACT FOR RENOVATION OF PLAYGROUND AT  
TRINITY PARK - WHITE OAK CONSTRUCTION CORP., NC**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to authorize the City Manager to enter into a contract with White Oak Construction Corp., NC in the amount of \$160,000 and to modify the contract before execution provided that the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the contract approved by City Council; and

To establish a contingency fund for the Trinity Park Playground project in the amount of \$20,000; and

To authorize the City Manager to negotiate and execute change orders on the Trinity Park Playground project provided that the cost of all change orders does not exceed \$20,000 and the total project cost does not exceed \$180,000 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: CONSTRUCTION CONTRACT FOR AMERICAN TOBACCO TRAIL,  
PHASES C & D - R & G CONSTRUCTION COMPANY**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to reject all bids received for this project for bid openings conducted prior to July 12, 2001; and

To authorize the City Manager to enter into a contract with R & G Construction Company in the amount of \$1,038,791 and to modify the contract before execution provided that the modifications do not

**August 6, 2001**

increase the dollar amount of the contract and are consistent with the general intent of the contract approved by the City Council; and

To establish a contingency fund for the American Tobacco Trail, Phases C & D project in the amount of \$250,000; and

To authorize the City Manager to negotiate and execute change orders on the American Tobacco Trails, Phases C & D project provided that the cost of all change orders does not exceed \$250,000 and the total project cost does not exceed \$1,288,791 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: BID REPORT - JUNE 2001**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to approve and record in the minutes the following bids and items which were acted upon by the City Manager during the month of June, 2001 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

## **CITY OF DURHAM NORTH CAROLINA**

July 18, 2001

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Navdeep S. Gill, Finance Director  
Kenneth C. Pennoyer, Assistant Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of **June 2001**.

Apparatus, Supplies, Materials, Equipment, Construction, and Repairwork:

**1. Bid: Contract Extension - Construction Debris Dumping Contract**

Purpose of Bid: This contract provides City Departments with a place to dump construction debris.

**August 6, 2001**

Comments: This bid was advertised and mailed to four bidders and only one response was received. The total cost of this contract is estimated. The cost per tandem dump truck load is \$58.00 per dump & single axle dump truck load is \$51.00 per dump.

Opened: June 1, 2000

Bidders: Waste Industries, Inc. \* \$25,000.00  
Durham, NC

\*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	2,130		# Black Males	704	33.05%
Total # Females	260	12.2%	# White Males	1,058	49.67%
Total # Males	1,870	87.8%	# Other Males	54	2.54%
			# Black Females	53	2.49%
			# White Females	255	11.97%
			# Other Females	3	0.14%

LOCATION OF PERFORMING CONTRACT  
Durham, NC

Total Workforce	72		# Black Males	52	72.23%
Total # Females	9	12.5%	# White Males	10	13.88%
Total # Males	63	87.5%	# Other Males	1	1.38%
			# Black Females	6	8.3%
			# White Females	3	4.16%
			# Other Females	0	0%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**2. Bid: Contract Extension - Container Service at the South Durham Water Reclamation Facility**

Purpose of Bid: To provide container service at the South Durham Water Reclamation Facility. These containers will hold the waste sludge produced at the plant.

Comments: Waste Industries has agreed to extend the existing contract with a 5% price increase.

**August 6, 2001**

Opened: June 5, 2000

Bidders: Waste Industries, Inc. \* \$29,007.30  
Durham, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	2,130		# Black Males	704	33.05%
Total # Females	260	12.2%	# White Males	1,058	49.67%
Total # Males	1,870	87.8%	# Other Males	54	2.54%
			# Black Females	53	2.49%
			# White Females	255	11.97%
			# Other Females	3	0.14%

**LOCATION OF PERFORMING CONTRACT**  
**Durham, NC**

Total Workforce	72		# Black Males	52	72.23%
Total # Females	9	12.5%	# White Males	10	13.88%
Total # Males	63	87.5%	# Other Males	1	1.38%
			# Black Females	6	8.3%
			# White Females	3	4.16%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**3. Bid: Digital Telephone System for the 911 Backup Communications Center**

Purpose of Bid: To provide the City with a telephone system at the 911 Backup Center.

Comments: Bids were mailed to Verizon South and Sprint Communications, they are the regional dealers in North Carolina for Nortel Telephone Systems. Only Verizon South responded to the bid.

Opened: May 22, 2001

Bidders: Verizon South \*\$16,332.60  
RTP, NC

**August 6, 2001**

\*Awarded based on:      Low Bid                      ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	4372		# Black Males	279	12%
Total # Females	1967	45%	# White Males	2093	87%
Total # Males	2405	55%	# Other Males	33	1%
			# Black Females	673	34.5
			# White Females	1266	64.5
			# Other Females	28	1%

**LOCATION OF PERFORMING CONTRACT**  
**RTP, NC**

Total Workforce	1473		# Black Males	137	24%
Total # Females	895	61%	# White Males	424	73%
Total # Males	578	39%	# Other Males	17	3%
			# Black Females	415	46%
			# White Females	471	53%
			# Other Females	9	1%

Performance Bond:      \_\_\_\_\_ Waived      \_\_\_\_\_ Not Waived      ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**4.      Bid:                      Two Storage Tanks for Environmental Resources**

Purpose of Bid:              To provide bulk (chemical) storage tanks for Environmental Resources

Comments:                      The low responsive bidder bid on both tanks and did meet specifications.

Opened:                      May 25, 2001

Bidders:	Palmer Mfg. Tanks	\$15,363.00
	Garden City, KS (does not meet specifications)	
	Ershigs, Inc.	\$18,663.00
	Wilson, NC (does not meet specifications)	
	Liquid Handling Equipment	*\$28,008.00
	Charlotte, NC	

\*Awarded based on:      \_\_\_\_\_ Low Bid      ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

**August 6, 2001**

Total Workforce	16		# Black Males	0	0%
Total # Females	2	12.50%	# White Males	14	87.50%
Total # Males	14	87.50%	# Other Males	0	0%
			# Black Females	2	12.50%
			# White Females	0	0%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**5. Bid: Software and Implementation Services for an Integrated Business License System**

Purpose of Bid: To provide the Treasury Division of the Finance Department with an Integrated Business License System.

Comments: Bids were solicited from twenty-one bidders and only one response was received.

Opened: May 30, 2001

Bidders: DBM Systems, Inc. \* \$23,000.00  
Raleigh, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	10		# Black Males	0	0%
Total # Females	6	60%	# White Males	3	30%
Total # Males	4	40%	# Other Males	1	10%
			# Black Females	0	0%
			# White Females	5	50%
			# Other Females	1	10%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**6. Bid: Drip Traps**

Purpose of Bid: To provide (32) drip traps for Environmental Resources

Comments: The drip traps remove condensate from the digester gas pipelines at the

**August 6, 2001**

North and South Durham Water facilities. They provide a safe means of drainage for the condensate. Gas is produced from the digestion of wastewater sludge and the gas is used to power blowers and heat the sludge which saves on energy costs.

Opened: May 31, 2001

Bidders:	Anderson Greenwood	*\$14,652.80
	Stafford, TX	
	Groth c/o Mec-Tric	\$15,536.00
	Charlotte, NC	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	339		# Black Males	38	11%
Total # Females	72	21%	# White Males	139	41%
Total # Males	267	79%	# Other Males	90	27%
			# Black Females	14	04%
			# White Females	46	13%
			# Other Females	12	04%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**7. Bid: Furnish and Install Back-up Generators at Various Fire Stations**

Purpose of Bid: To provide back-up power at several Fire Stations in cases of emergency.

Comments:

Opened: June 5, 2001

Bidders:	KCEM	* \$65,681.00
	Raleigh, NC	
	Piedmont Power Products	\$69,833.40
	Julian, NC	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by KCEM A NextGen Company of Raleigh, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

**August 6, 2001**

There were no M/WBE in the databank to provide this product.

The workforce statistics for KCEM a NextGen Company are as follows:

Location Performing on Project

Raleigh, NC

	2001	
Total Workforce	16	
Total Females	1	6%
Total Males	15	94%
Black Males	2	13%
White Males	9	56%
Other Males	3	19%
Black Females	1	6%
White Females	1	6%
Other Females	0	0%

Performance Bond:    ☐ Waived            ☒ Not Waived            ☐ Not Required

**8.     Bid:            Remanufactured Diesel Engines**

Purpose of Bid:            To furnish and install remanufactured diesel engines in the City's DATA buses.

Comments:                Jasper Engines did not include the cost of installation in their bid and therefore were considered as non-responsive.

Opened:                  June 6, 2001

Bidders:	Jasper Engine (non-responsive)	\$76,465.00
	Greensboro, NC	
	Covington Diesel	* \$85,250.00
	Greensboro, NC	

\*Awarded based on:    ☐ Low Bid    ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Covington Detroit Diesel of Greensboro, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBE firms in the databank to provide this product.

The workforce statistics for Covington Detroit Diesel are as follows:

Corporate	2000		2001
Total Workforce	299	Total Workforce	313

**August 6, 2001**

Total Females	39	13%	Total Females	35	11%
Total Males	260	87%	Total Males	278	89%
Black Males	4	1%	Black Males	8	3%
White Males	255	85%	White Males	270	86%
Other Males	1	1%	Other Males	0	0%
Black Females	1	1%	Black Females	1	1%
White Females	38	12%	White Females	34	10%
Other Females	0	0%	Other Females	0	0%

Performance Bond:    ☒ Waived                      ☐ Not Waived    ☐ Not Required

**9.      Bid:                      To purchase five (5) Defibrillators**

Purpose of Bid:                      To provide the Parks and Recreation Department with Workplace Defibrillators (AEDs) for training and use.

Comments:                          The Durham County Emergency Medical Services/American Red Cross was the only supplier for this purchase.

Opened:                              June 13, 2001

Bidders:                              American Red Cross    \*\$16,762.75  
    Durham, NC

\*Awarded based on: ☐ Low Bid    ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	26		# Black Males	2	7.7%
Total # Females	21	86%	# White Males	2	7.7%
Total # Males	5	14%	# Other Males	1	3.8%
			# Black Females	4	15.4%
			# White Females	17	65.4%
			# Other Females	0	0%

Performance Bond: ☐ Waived    ☐ Not Waived    ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**10.      Bid:                      Field Reporting Server Upgrade and Maintenance for the Police Department**

Purpose of Bid:

Comments:                          Bids were mailed to several vendors and only one response was received.

**August 6, 2001**

Opened: June 15, 2001

Bidders: H T E, Inc. \*\$49,150.00  
Lake Mary, FL

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by H T E, Inc. of Lake Mary, Florida to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for H T E, Inc. are as follows:

	2000		2001
Total Workforce	807	Total Workforce	522
Total # of Females	336 42%	Total # of Females	237 45%
Total # of Males	471 58%	Total # of Males	285 55%
Total # of Black Males	25 3%	Total # of Black Males	15 3%
Total # of White Males	398 49%	Total # of White Males	238 45%
Total # of Other Males	48 6%	Total # of Other Males	32 6%
Total # of Black Females	18 2%	Total # of Black Females	16 3%
Total # of White Females	291 37%	Total # of White Females	196 38%
Total # of Other Females	27 3%	Total # of Other Females	25 5%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

**11. Bid: Estimated Annual Requirements for Automotive Filters**

Purpose of Bid: To provide the Fleet Maintenance division with a twelve months firm price contract for automotive filters.

Comments: Bids were solicited from several vendors and only one response was received.

Opened: June 18, 2001

Bidders: Davie Auto Parts \* \$33,742.68  
Raleigh, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Davie Auto Parts of Raleigh, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

**August 6, 2001**

There were no M/WBE firms to provide this product.

The workforce statistics Davie Auto are as follows:

	<b>2000</b>			<b>2001</b>	
Total Workforce	51		Total Workforce	51	
Total Females	21	41%	Total Females	21	41%
Total Males	30	59%	Total Males	30	59%
Black Males	1	2%	Black Males	1	2%
White Males	29	57%	White Males	29	57%
Other Males	0	0%	Other Males	0	0%
Black Females	0	0%	Black Females	0	0%
White Females	21	41%	White Females	21	41%
Other Females	0	0%	Other Females	0	0%

Performance Bond:    ☐ Waived        ☐ Not Waived    ☒ Not Required

**12.    Bid:                    Gas Detectors with Trade-ins**

Purpose of Bid:            To provide the Public Works Department with new gas detectors.

Comments:

Opened:            June 19, 2001

Bidders:	Safeco, Inc.	* \$35,806.15
	Raleigh, NC	
	Dillon Supply company	\$43,548.00
	Raleigh, NC	

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Safeco, Inc. of Raleigh, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBE firms in the databank to provide this product.

The workforce statistics for Safeco, Inc. are as follows:

Location Performing on Contract  
Raleigh, NC

	<b>2000</b>			<b>2001</b>	
Total Workforce	139		Total Workforce	130	
Total Females	58	42%	Total Females	52	45%

August 6, 2001

Total Males	81	58%	Total Males	78	55%
Black Males	4	3%	Black Males	8	3%
White Males	75	54%	White Males	68	45%
Other Males	2	1%	Other Males	2	6%
Black Females	3	2%	Black Females	4	3%
White Females	52	38%	White Females	47	38%
Other Females	3	2%	Other Females	1	5%

Performance Bond:     ☒ Waived                    ☐ Not Waived                    ☐ Not Required

**13. Bid: Annual Maintenance Agreement for City telephone systems**

Purpose of Bid: This is an annual maintenance agreement with Verizon South to maintain forty-two Norstar Telephone Key Systems located throughout the City.

Comments: Verizon South services and maintains these telephone systems under this agreement. Verizon is a major Nortel dealer who manufactures these and keeps an inventory of new equipment on hand to replace defective equipment with a minimum disruption of service.

Opened: June 21, 2001

Bidders: Verizon South \* \$46,722.72  
RTP, NC

\*Awarded based on: \_\_\_\_\_ Low Bid    ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Verizon South of R.T.P., NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for Verizon South are as follows:

Total Workforce	1473	
Total # of Females	895	61%
Total # of Males	578	39%
Total # of Black Males	137	9%
Total # of White Males	424	29%
Total # of Other Males	17	1%
Total # of Black Females	415	28%
Total # of White Females	471	32%
Total # of Other Females	9	1%

**August 6, 2001**

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

**14. Bid: Vietnam Veterans Living Memorial Repairs**

Purpose of Bid: To repair the vandalism damage on the Vietnam Veterans Living Memorial.

Comments: Bids were solicited from several vendors and only one response was received.

Opened: June 22, 2001

Bidders: Durham Marble Works \* \$30,358.40  
Durham, NC

\*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Durham Marble Works of Durham, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBE in the databank to provide this service.

The workforce statistics for Durham Marble Works are as follows:

Location Performing on Project  
Rolesville, NC

	2001	
Total Workforce	8	
Total Females	2	25%
Total Males	6	75%
Black Males	2	25%
White Males	4	50%
Other Males	0	09%
Black Females	0	0%
White Females	2	25%
Other Females	0	0%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

**15. Bid: One - 48 PTO HP MFWD Utility Tractor**

Purpose of Bid: To provide the Property and Facility Management Department with a utility tractor.

**August 6, 2001**

Comments:

Opened: June 22, 2001

Bidders: Barnhill Equipment Company \* \$17,090.58  
Durham, NC  
Byrd's Tractor & Equipment \$18,888.93  
Burlington, NC  
Senter Tractor \$19,740.00

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	12		# Black Males	0	0%
Total # Females	1	8%	# White Males	11	92%
Total # Males	11	92%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	8%
			# Other Females	0	0%

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**16. Bid: Personal Computers for the Parks & Recreation Department**

Purpose of Bid:

Comments: Bids were solicited from several bidders and only one response was received.

Opened: June 26, 2001

Bidders: Dell Marketing \* \$20,504.00  
Round Rock, TX

\*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	20113		# Black Males	1209	6%
Total # Females	7085	35%	# White Males	9076	45%
Total # Males	13008	65%	# Other Males	2723	14%
			# Black Females	987	5%

**August 6, 2001**

# White Females	4459	22%
# Other Females	1639	8%

Performance Bond:      \_\_\_\_\_ Waived      \_\_\_\_\_ Not Waived      **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**17. Bid: 55 PTO HP MFWD Utility Tractor**

Purpose of Bid: To provide the Cemeteries Division with a utility tractor.

Comments:

Opened: June 27, 2001

Bidders:	Barnhill Equipment Company	* \$21,013.13
	Durham, NC	
	Senter Tractor Company	\$21,840.00
	Raleigh, NC	
	Byrd Tractor Company	\$23,211.46
	Burlington, NC	

\*Awarded based on: **X** Low Bid      \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	12		# Black Males	0	0%
Total # Females	1	8%	# White Males	11	92%
Total # Males	11	92%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	8%
			# Other Females	0	0%

Performance Bond:      \_\_\_\_\_ Waived      \_\_\_\_\_ Not Waived      **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**18. Bid: Installation/Construction/Repair of City Telephone Equipment**

Purpose of Bid: To provide City Departments with same day/next day service in relocating telephones, lines and telephone key systems for a two-year period.

Comments: Contractor is a certified technician by Nortel Networks and Verizon South to install, relocate and program City owned Norstar Telephone Key Systems.

**August 6, 2001**

Opened: June 29, 2001

Bidders: Don Curry Systems \* \$28,000.00  
Durham, N.C.

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	1		# Black Males	0	0%
Total # Females	0	0%	# White Males	1	100%
Total # Males	1	100%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**19. Bid: 4" Trash Pump**

Purpose of Bid: To purchase a 4" trash pump for the NDWRF.

Comments: Bids were solicited from several bidders and only one response was received.

Opened: June 29, 2001

Bidders: Thompson Pump & Manufacturing Company, Inc. \* \$14,201.00  
Goldsboro, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	215		# Black Males	23	11%
Total # Females	45	21%	# White Males	141	65%
Total # Males	170	79%	# Other Males	7	3%
			# Black Females	2	1%
			# White Females	41	19%
			# Other Females	1	1%

August 6, 2001

LOCATION OF PERFORMING CONTRACT  
Goldsboro, NC

Total Workforce	15		# Black Males	1	7%
Total # Females	2	13%	# White Males	12	80%
Total # Males	13	87%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	13%
			# Other Females	0	0%

Performance Bond:      \_\_\_\_\_ Waived      \_\_\_\_\_ Not Waived      **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (\*).

JWC:lm

**SUBJECT:    STREET ACCEPTANCE - HICKORY GLEN, TREYBURN, CARRIAGE HILL AND EAGLES POINTE**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to accept certain streets in Hickory Glen, Treyburn, Carriage Hill and Eagles Pointe for maintenance by the City of Durham as listed below was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Hickory Glen**

- 1)    Ruby Ridge Drive - from the centerline of Wedgedale Avenue south to the end of the street (1,688'.)

**Treyburn**

- 1)    Old Trail Drive - from the end of previous construction north of Haddington Drive northeast around the circle to Old Trail Drive (1,615') and,
- 2)    Covington Lane - from the centerline of Old Trail Drive east around the circle to Covington Lane (2,340') and,
- 3)    Ventana Court - from the centerline of Old Trail Drive east around the circle to Ventana Court (380') and,
- 4)    Scarlett Oak Court - from the centerline of Loblolly Drive

**August 6, 2001**

- southeast around the circle to Scarlett Oak Court (940') and,
- 5) Fairwoods Drive - from the centerline of Vintage Hill Parkway north around the circle to Fairwoods Drive (1,384') and,
  - 6) Deerwood Court - from the centerline of Fairwoods Drive east around the circle to Deerwood Court (610') and,
  - 7) Champion Pointe Drive - from the centerline of Vintage Hill Parkway northeast around the circle to Champion Pointe Drive (1,802').

**Carriage Hill**

- 1) Morgan's Ridge Lane - from the centerline of Sterling Ridge Lane south thru the cul-de-sac (400') and,
- 2) Sterling Ridge Lane - from the west ditch line of Garrett Road westward then south thru the cul-de-sac (940'.)

**Eagles Pointe**

- 1) Eagle View Drive - from the east curb-line of NC Highway 751 east to the centerline of Morrell Lane (1,925') and,
- 2) MacKenzie Court - from the centerline of Eagle View Drive south to the end of construction south of Morrell Lane @ STA 7+94.16 (794') and,
- 3) Morrell Lane - from the centerline of MacKenzie Court east then north past Eagle View Drive to the end of construction @ STA 30+66 (2,066') and,
- 4) Crenshaw Lane - from the centerline of Eagle View Drive south to the centerline of Morrell Lane (605') and,
- 5) Chatsworth Way - from the centerline of Eagle View Drive south to the centerline of Morrell Lane (580') and,
- 6) Somerdale Drive - from the centerline of Eagle View Drive south to the centerline of Morrell Lane (524') and,
- 7) Crichton Lane - from the centerline of Eagle View Drive south past Morrell Lane to the end of construction @ STA 6+30.44 (630'.)

**SUBJECT: PARKING PROHIBITION - CLEVELAND STREET**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance to prohibit parking at any time on the east side of Cleveland Street, in the area beginning at the south curb line of East Corporation Street, if extended, and extending for a distance of 100 feet southwardly was approved at

**August 6, 2001**

7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12354**

**SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - EAST AND WEST MAYNARD AVENUE BETWEEN ROXBORO STREET AND ELGIN STREET**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance establishing a 25 mile per hour speed limit on East and West Maynard Avenue between Roxboro Street and Elgin Street was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12355**

**SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - BIRCHWOOD SUBDIVISION**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance establishing a 25 mile per hour speed limit at the following locations was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

- 1) On Walton Street from its northern intersection with Wedgedale Avenue to its southern intersection with Wedgedale Avenue, and
- 2) On Cushman Street from its northern intersection with Walton Street to its southern intersection with Walton Street.

**Ordinance #12356**

**SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - NICHOLS FARM DRIVE**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance establishing a 25 mile per hour speed limit on Nichols Farm Drive from NC 98 to Holder Road was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**August 6, 2001**

**Ordinance #12357**

**SUBJECT: STOP SIGNS - AUDUBON PARK SUBDIVISION**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

- 1) Wood Duck Court at Piperwood Court, northeast corner, and
- 2) Weeping Beech Way at Piperwood Court, northeast corner.

**Ordinance #12358**

**SUBJECT: STOP SIGN - GLEN FOREST APARTMENTS**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of a stop sign at Grandview Forest Drive (private) at Martin Luther King, Jr. Parkway, southeast corner was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12359**

**SUBJECT: STOP SIGNS - GLENN LAUREL TOWN HOMES**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

- 1) Glenn Laurel Drive (private street) at Horton Road, southeast corner, and
- 2) Glenn Laurel Drive (private street) at Guess Road, northeast corner.

**Ordinance #12360**

**SUBJECT: STOP SIGNS - HOPE CREEK SUBDIVISION**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member

**August 6, 2001**

Jacobs to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

- 1) Shady Oak Trail at Pine Bark Trail, southwest corner,
- 2) Pine Bark Trail at Forest Edge Trail, northwest corner,
- 3) Sugar Pine Lane at Creek Wood Trail, northwest and southeast corners,
- 4) Forest Edge Trail at Sugar Pine Lane, southwest corner,
- 5) Creek Wood Trail at Pine Bark Trail, northeast corner, and
- 6) Creek Wood Trail at Cambridge Road, southwest corner.

**Ordinance #12361**

**SUBJECT: STOP SIGNS - LAKEMOOR APARTMENTS**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

- 1) Lake Cook Drive (private) at Martin Luther King, Jr. Parkway, northwest corner, and
- 2) Lake Camp Drive (private) at Martin Luther King, Jr. Parkway, northwest corner.

**Ordinance #12362**

**SUBJECT: STOP SIGN - PERSON STREET**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of a stop sign on Person Street at South Briggs Avenue, northeast corner was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12363**

**SUBJECT: STOP SIGNS - PAGEHURST SUBDIVISION**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of stop

**August 6, 2001**

signs at the following locations was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

- 1) Suda Drive at Lumley Road, southeast corner,
- 2) Bombay Drive at Suda Drive, southwest corner,
- 3) Bombay Drive at Shiva Court, northwest corner,
- 4) Shiva Court at Suda Drive, southwest corner, and
- 5) Om Court at Suda Drive, southwest corner.

**Ordinance #12364**

**[GENERAL BUSINESS AGENDA]**

**[PUBLIC HEARINGS]**

**SUBJECT: SIDEWALK - REVERE ROAD (WEST SIDE) FROM SEATON ROAD TO NORTH PROPERTY LINE OF TAX MAP 538-1-42 (ASSESSMENT ROLL)**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Langley to adopt a resolution confirming the Assessment Roll for sidewalk on Revere Road (west side) from Seaton Road to north property Line of Tax Map 538-1-42 was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: WATER MAIN - EAST GEER STREET FROM END OF WATER MAIN TO RED MILL ROAD (MINI ASSESSMENT ROLL)**

**a. Property of Angier L. Green, Jr.**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of Angier L. Green, Jr., identified as Tax Map #720-4-15, 3009 East Geer Street, has benefited from the water main improvement and to confirm the assessment in the amount of \$3,276.44 (partial relief granted in

**August 6, 2001**

accordance with City Policy) was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**b. Property of Charlie and Ethel W. Chappel**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of Charlie and Ethel W. Chappel, identified as Tax Map #697-2-1, 3119 East Geer Street, has benefited from the water main improvement and to confirm the assessment in the amount of \$4,908.98 (partial relief granted in accordance with City Policy); and

To find that the property of Charlie and Ethel W. Chappel, identified as Tax Map #697-2-2, 3123 East Geer Street, has not benefited at this time from the water main improvement and to relieve the assessment in the amount of \$4,585.00 with the provision that a future frontage charge will be due and payable at the prevailing rate should the property receive water service (in accordance with City Policy) was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**c. Property of Bobby L. and Cathy D. Autrey**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of Bobby L. and Cathy D. Autrey, identified as Tax Map #697-2-4, 3125 East Geer Street, has benefited from the water main improvement and to confirm the assessment in the amount of \$4,485.00 was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**d. Property of Cecil E. Walker**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared

**August 6, 2001**

closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of Cecil E. Walker, identified as Tax Map #696-3-2, 3209 East Geer Street, has not benefited at this time from the water main improvement and to relieve the assessment in the amount of \$8,073.00 with the provision that a future frontage charge will be due and payable at the prevailing rate should the property receive water service (in accordance with City Policy) was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**e. Property of Jesse W. and Iola L. Broome**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of Jesse W. and Iola L. Broome, identified as Tax Map #720-1-24, 2810 East Geer Street, has benefited from the water main improvement and to confirm the assessment in the amount of \$2,242.50; and

To find that the property of Jesse W. and Iola L. Broome, identified as Tax Map #720-1-23, Lot 1, Vacant, has benefited from the water main improvement and to confirm the assessment in the amount of \$2,406.95 was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**f. Property of John L. and Mary B. Coble**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of John L. and Mary B. Coble, identified as Tax Map #720-1-17, 2916 East Geer Street, has not benefited at this time from the water main improvement and to relieve the assessment in the amount of \$1,495.00 with the provision that a future frontage charge will be due and payable at the prevailing rate should the property receive water service (in accordance with City Policy) was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs,

**August 6, 2001**

Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**g. Property of Dewey Lee and Tammy B. Hardie**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of Dewey Lee and Tammy B. Hardie, identified as Tax Map #721-2-6, 3106 East Geer Street, Lot 2, has benefited from the water main improvement and to confirm the assessment in the amount of \$2,990.30 was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**h. Property of William V. and Carolyn A. O'Quinn**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to find that the property of William V. and Carolyn A. O'Quinn, identified as Tax Map #724-1-22, East Geer Street, Tract 4, Vacant, has not benefited at this time from the water main improvement and to relieve the assessment in the amount of \$6,129.50 with the provision that a future frontage charge will be due and payable at the prevailing rate should the property receive water service (in accordance with City Policy) was approved at 7:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: SEWER MAIN - RIVERMONT ROAD FROM THE NORTHEAST PROPERTY LINE OF TAX MAP 767-4-17 SOUTHWEST TO THE RIVERMONT ROAD OUTFALL - ENABLING ACT AUTHORITY**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Langley to adopt a resolution ordering sewer main improvements on Rivermont Road from the northeast property line of Tax Map 767-4-17 southwest to the Rivermont Road outfall under the Enabling Act

**August 6, 2001**

Authority was approved at 7:18 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

At this time during the meeting, Mayor Tennyson announced that Council Member Larson was out of town.

**SUBJECT: SEWER MAIN - REIGALWOOD ROAD FROM THE NORTH PROPERTY LINE OF TAX MAP 808-1-57 TO END OF CUL-DE-SAC - ENABLING ACT AUTHORITY**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Edwards to adopt a resolution ordering sewer main improvements on Reigalwood Road from the north property line of Tax Map 808-1-57 to end of cul-de-sac under the Enabling Act Authority was approved at 7:19 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: STREET CLOSING (SC01-1) - METHODIST STREET, EAST OF ROLLING PINES STREET**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Cheek to adopt "City of Durham Order Permanently Closing 606.72± Linear Feet (31,263 Square Feet) of Methodist Street, east of Rolling Pines Street" was approved at 7:19 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Ordinance #12365**

**SUBJECT: ZONING MATTER CASE: A01-03 - SMALL AREA PLAN AMENDMENT - FUTURE LAND USE MAP OF THE NC 54 AND I-40 CORRIDOR STUDY (SUBAREA A) - REVEILLE, LLC - AREA ADJOINING THE NORTHEAST QUADRANT OF THE INTERSECTION OF NC 751 AND I-40**

**August 6, 2001**

Small Area Plan Amendment - Future Land Use Map of the NC 54 and I-40 Corridor Study (Subarea A) -

Case: A01-03

Applicant: Reveille, LLC

Location: Area adjoining the northeast quadrant of the intersection of NC 751 and I-40

Request: Mixed Use and High Density Residential to Mixed Use

Planning Commission's Recommendation and Vote: Denial (8-4)

Planning Department's Recommendation: Approval

Because General Business Agenda Items 6 [ZONING MATTER CASE: A01-03 - SMALL AREA PLAN AMENDMENT - FUTURE LAND USE MAP OF THE NC 54 AND I-40 CORRIDOR STUDY (SUBAREA A) - REVEILLE, LLC] & 7 [REZONING MATTER CASE: P01-24 - REVEILLE, LLC] are related, Mayor Tennyson suggested opening the public hearing on this item and not take any action until the public hearing on rezoning case (Item 7) is heard.

Dick Hails, Acting City/County Planning Director, briefed Council on this item noting this is the first amendment with a rezoning request following it. He noted that the NC 54 & I-40 policies and adopted 2020 Plan support expanding mix-used designation in this location. Also, he noted that staff recommended approval.

Relative to the NC 54 & I-40 Study, Council Member McKissick asked staff to what extent did the Riata project pre-date the amendment of the small area plan.

Dick Hails, Acting City/County Planning Director, noted that the developer who had a pending rezoning proposal, which actually got approved, was active in discussions around the time of the plan.

Council Member McKissick made comments about the concept of high density.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Pat Bocckino, of 7340 Abron Drive, spoke in opposition to this amendment noting that the Small Area Plan A was adopted less than a year ago, expressed concern about commercial sprawl and urged the City Council not to amend plan.

Attorney Kenneth Spaulding, representing the applicant, spoke in support of the small plan amendment. He outlined the uses, commented on the Riata issue, and noted there are certain economic development needs specified in the resolution for allowing all property owners to be able to have an opportunity to amend small area plans. He stated there is no space for car dealerships in Durham and the citizens would have to go to Raleigh/Cary/Chapel Hill to service their automotive needs.

**August 6, 2001**

Alvin McMillian, of 124 Kentington Drive, spoke in favor of the small area plan amendment noting that this is an important issue and the auto park would be great for Durham.

Jim McDonald, of 3818 Sommerset Drive, spoke in opposition to the amendment noting citizens took part in the Area A planning process and substantial modifications to a site at the gateway of our community are pre-mature at this time.

At this time during the meeting, Mayor Tennyson opened the public hearing on General Business Agenda Item #7 [ZONING MATTER CASE P01-24 - REVEILLE, LLC].

**Note: For Council discussion held on this item, see GBA Item #7 [ZONING MATTER CASE P01-24- REVEILLE, LLC].**

**MOTION** by Council Member Langley seconded by Council Member Jacobs to receive citizens' comments on the proposed Small Area Plan amendment; and

To adopt the "City Council Resolution Amending NC 54 & I-40 Corridor Study (Subarea A) Case A01-03" was approved at 9:18 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Jacobs, Langley, Stith and Wagstaff. Noes: Mayor Tennyson and Council Members Cheek, Edwards, Hill and McKissick. Absent: Council Member Larson.

**Resolution #8792**

**SUBJECT: ZONING MATTER CASE P01-24 - REVEILLE, LLC - 116.66 ACRES ON THE NORTHEAST CORNER OF THE I-40/NC 751 INTERCHANGE**

Case: P01-24

Applicant: Reveille, LLC

Location: 116.66 acres on the northeast corner of the I-40/NC 751 interchange; Street Atlas Pages 42, A-1 and B-1 and 49, A-4 and B-4

Request: Rezoning from R-20 (Residential 20), OI-2(D) (General Office and Institutional District with a Development Plan) and RM-20(D) (Multifamily Residential District, Maximum of 20 Dwelling Units Per Acre with a Development Plan) to OI-2(D) (General Office and Institutional District with a Development Plan), RM-8(D) (Multifamily Residential District with a Maximum of 8 Dwelling Units per Acre with a Development Plan) and GC(D) (General Commercial with a Development Plan); F/J-B and MTC (Partial)

Zoning Committee's Recommendation and Vote: Denial (5-2)

Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

**August 6, 2001**

## **Proponents**

Attorney Kenneth Spaulding, representing the applicant, spoke in support of this rezoning. He noted the uses, proposal would be a significant economic benefit and would address the future automobile dealership needs at one location. Also, he indicated that this plan will also lower the impact on the schools, is in compliance with the 2020 Plan and requested Council to support this item. In addition, he distributed the following handout adding the following proposed development plan revisions to the development plan:

### **The Park at Southpoint**

August 6, 2001

City Council Small Area Plan  
Amendment & Re-zoning Hearing

#### **Proposed Development Plan Revisions**

1. The Developer shall construct a 10' wide asphalt trail along I-40 from NC 751 to the eastern property line within the I-40 MTC Buffer.
2. The Developer shall construct a 10' wide asphalt trail along the eastern property line within the 100' buffer.
3. The Developer shall provide the remaining 20% allocation for the construction of the I-40 pedestrian overpass.
4. The Developer shall construct the following additional recommended road improvements:
  - a. NC 751/I-40 Westbound Ramp: Construction of second right-turn lane on the I-40 westbound off ramp to relieve the LOS E conditions experienced by the 519 vehicles. This improvement was previously required for the Ravinia Development.
  - b. NC 751/I-40 Eastbound Ramp: Widening of the I-40 Eastbound Access Ramp to accommodate dual southbound left-turn lanes on NC 751.
5. The Developer shall provide park benches, tables and trails adjacent to the existing lake near the auto park west entrance.
6. The Developer will provide landscape screening at all auto service areas to buffer from adjacent properties.
7. Security fences shall be installed to minimize view from adjacent properties and landscape treatment will be provided for additional screening as needed.

**August 6, 2001**

Ahmad-Zareu, of 410 Intern Way, spoke in support of this rezoning because it provides less density and would be better for the environment.

### **Opponents**

Erv Young, of 5106 Tudor Place, spoke in opposition to this proposal raising a concern relative to the developer's committed element of 100' vegetated buffers. Mr. Young stated that it is insufficiently specific and it needs to be a 100' buffer of unbroken existing vegetation. He urged Council to defer consideration of this matter until it is determined why University Ford is not participating.

Jim McDonald, of 3818 Sommerset Drive, spoke in opposition to this proposal expressing concerns relative to road improvements, impact of project on the Garrett Road Extension and low minimum wage jobs.

Bill Kalkhof, representing Downtown Durham, Inc., requested the City Council to defer making a decision on this matter tonight. He noted if University Ford were a part of this rezoning, as it was originally, this would be a huge plus for downtown revitalization. A key recommendation of the downtown master plan will be delayed and he suggested bringing in the key parties (Mr. Johnson, University Ford, Capital Broadcasting and the City) to get a deal in writing that all parties could support.

### **Rebuttal**

Attorney Kenneth Spaulding, representing the applicant, urged the Council to decide this matter based on land use considerations, expressed concern about delaying this project and the deal with University Ford and other interested parties and noted that University Ford is not a part of this application. Also, Attorney Spaulding stated road improvements are the ones that have been requested and required by the State and City's Transportation Department and also would be adding Items #1-4a&b which are outlined in the proposed development plan revisions.

City Attorney Henry Blinder briefed Council noting that citizens are free to make comments before Council that would not be apart of Council's deliberations.

At this time during the meeting, Dick Hails, Acting City/County Planning Director, briefed Council on the staff report noting that the proposal is well integrated, well designed with pedestrian connections, sites for auto dealerships are in short supply and staff recommended approval.

Mayor Tennyson asked for comments from Council on General Business Agenda Items #6 [SMALL AREA PLAN AMENDMENT] AND 7# [ZONING MATTER CASE P01-24 - REVEILLE, LLC].

**August 6, 2001**

Council Member Jacobs asked the developer what commitments do they have on the project.

Attorney Kenneth Spaulding, representing the applicant, noted that Mr. Johnson has been in Durham for two years trying to find some location to bring his Lexus dealership to Durham. In addition, Attorney Spaulding stated Lexus informed his client last week that their time has run out and they need to get a call tomorrow about the vote on this matter.

Attorney Kenneth Spaulding recognized David Johnson for comments. He noted that Lexus came to Durham for the purpose of making a decision between Durham and another location and indicated that any deferral of the schedule would result in putting this project in Durham in jeopardy.

Council Member Jacobs asked the developer if University Ford could be accommodated at this site.

Attorney Kenneth Spaulding replied this would provide an opportunity in Durham for seven automobile dealerships. University Ford, as well as others, will have an opportunity to be able to locate at the auto park.

Council Member Jacobs asked Erv Young for clarification concerning his buffer concern.

Erv Young, of 5106 Tudor Place, noted that he does not want it split down the middle by an open space. We are requesting the full 100' of existing vegetation.

Council Member Jacobs asked the developer if they are willing to do what Mr. Young is requesting.

George Stanziale, representing the developer, replied yes.

Mayor Tennyson made comments about Item #2 on the list of proposed development plan revisions being the same as Mr. Young's request and noted the illustration that Council has is not reflective of the developer's plan.

George Stanziale, of Haden-Stanziale, noted the developer will make the change as indicated on the developer's list of proposed development plan revisions.

Dick Hails, Acting City/County Planning Director, made comments about the trail noting that staff is not opposed to moving the trail to a new location as long as there is still public access connection to a public roadway.

Mr. Erv Young, of 5106 Tudor Place, stated that along the eastern boundary of Triangle Presbyterian Church's property separating Presbyterian Church from Spring Hill, there is a utility easement that has been used as an industrial driveway. The road is there

**August 6, 2001**

and it needs to be cleared of weeds and it sits on Triangle Presbyterian Church's property. Mr. Young stated he spoke with their planning chairman and they are willing to have it used as a connector.

Dick Hails, Acting City/County Planning Director, noted if Triangle Presbyterian Church is willing to grant legal public access easement that would suffice as an alternative to the trails and would seek to get that approval in place prior to site plan if project is approved.

Council Member Jacobs asked the developer if the trails would be immediately around the development.

George Stanziale, of Haden-Stanziale, replied yes.

Council Member Stith asked the developer what provisions have been made regarding environmental concerns and asked staff how the road improvements will impact traffic.

David Johnson replied that there would be no underground tanks, no lifts, and the waste oil would be stored above ground and taken out by trucks and processed.

Wesley Parham, of the Transportation Department, noted the applicant has met all the requirements for the LOS D. Also, he commented on the staff report that identifies some additional improvements the developer could make that would go beyond the threshold of requirement and the applicant has agreed to make two of the four identified. Also, he noted in the staff report, the first one is an error and that requirement would not be appropriate. None of these improvements are required to meet level of service D requirements. They are enhancements that go above and beyond what is required.

Council Member Stith asked staff what can be done to ensure that the road improvements are done on timeline.

Wesley Parham, of the Transportation Department, noted at the site plan stage, staff would stipulate what the phasing of these improvements are going to be. Also, he explained that during the dedication of right-of-way along 751, it would be required prior to issuance of any building permit and any and all off site roadway improvements will be tied to the issuance of the certificate of occupancy.

Council Member Stith asked the developer about job creation/diversity involvement.

Attorney Kenneth Spaulding, representing the applicant, gave an overview of the training center which is a part of the hotel complex highlighting that the Associations of Dealers would create a training program for residents of this community who would want to be trained in areas of bookkeeping, accounting, sales of automobiles and technicians. Also, he made comments about the

**August 6, 2001**

work force noting the community is 40% minority.

City Attorney Henry Blinder briefed Council noting the issue of job creation is not a part of a land use decision.

Council Member Cheek asked staff if there are other tracts of land available for car dealerships in Durham.

Dick Hails, Acting City/County Planning Director, noted there are very few that are zoned, vacant and available at this point in time, but there are other possibilities that could be pursued.

Council Member Langley spoke in support of the small area plan amendment and rezoning noting that it would bring high quality development to Durham and would be very accessible to persons with disabilities and the elderly.

A motion was made by Council Member Langley seconded by Council Member Jacobs to approve Item #6 [SMALL AREA PLAN AMENDMENT] as printed on the agenda.

Council Member Edwards asked the developer if the retention ponds would be changed to bio-retention and asked a member of the Zoning Commission if their concerns have been addressed.

George Stanziale, of Haden-Stanziale, updated Council on the retention issue noting the developer will provide wetland ponds instead of bio-retention which are more efficient, look nicer and edges are vegetated with wetland vegetation.

Steve Bocckino, of 7340 Abron Drive, cited the following concerns that have not been addressed: the issue of small area plan being recently adopted, the impervious surface next to the watershed, traffic and environmental impact.

Council Member Edwards expressed environmental concerns and asked if the residents of Kentington Heights had any concerns with the project.

Alvin McMillan, of 124 Kentington Drive, noted this is a very good opportunity and would be vital to the community.

Dr. Anita Keith-Faust, of Kentington Heights, spoke in support of the small area plan amendment and project.

Mayor Pro Tempore Clement spoke in support of the rezoning noting it would create job opportunities.

Council Member McKissick asked the developer if they have agreed to pay 20% of the cost for the construction of the pedestrian linkage across I-40 if it isn't already committed to in terms of other funds that the City has available.

George Stanziale, of Haden-Stanziale, replied that's correct.

**August 6, 2001**

Attorney Kenneth Spaulding, representing the applicant, noted that according to City staff the state has already allocated \$600,000 for that and the City's portion would be \$150,000. He noted the developer will provide the remaining 20% allocation for the construction of I-40 pedestrian overpass.

Council Member McKissick asked staff if the 80% committed funds are in the budget and are ready for expenditure and if the additional 20% would be able to build this in its entirety as part of one project.

Wesley Parham, of the Transportation Department, replied yes. Also, he noted these funds would provide the match necessary to build the bridge across I-40 linking the north side of the interstate to the south side.

Council Member McKissick asked the applicant if they would be willing to do the NC 54/Rollingwood Drive improvement.

Attorney Kenneth Spaulding, representing the applicant, noted the pedestrian crossing was very important which has a direct impact and involvement. He noted the road improvement [NC 54/Rollingwood Drive] was on the wish list and the applicant wanted to address the two out of the three road improvements.

Council Member McKissick asked the applicant about the design concept illustrations and density issue.

Attorney Kenneth Spaulding, representing the applicant, stated that he would have the design illustrations at site plan.

George Stanziale, of Haden-Stanziale, noted that there would be 8-units per acre.

Several Council Members spoke in support of the small area plan amendment and the rezoning request.

Mayor Tennyson and Council Members Cheek and McKissick spoke in opposition to both items.

Council held discussion on space for auto dealerships, economic impact, diversity involvement, traffic, phasing of projects, proposed development plan revisions, design, environmental impact small area plan and commercial uses.

**NOTE: At this time, a vote was taken on General Business Agenda Item #6 -- Zoning Matter Case: A01-03 - Small Area Plan Amendment. See Previous Item For Action Taken.**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Langley to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20, OI-2(D) and RM-20(D) and placing same in and establishing same as RM-8(D) and GC(D); F/J-B and MTC

**August 6, 2001**

(partial) was approved at 9:18 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Jacobs, Langley, Stith and Wagstaff. Noes: Mayor Tennyson and Council Members Cheek, Edwards, Hill and McKissick. Absent: Council Member Larson.

**See additional note on this item on Page 41.**

**SUBJECT: ZONING MATTER CASE P01-26 - COULTER JEWELL THAMES, P.A.  
- .12 ACRES AT 2823 NORTH DUKE STREET**

Case: P01-26

Applicant: Coulter Jewell Thames, P.A.

Location: .12 acres at 2823 North Duke Street (Tax Map 325, Block 6, Lot 14; Street Atlas Page 17, D-4

Request: Rezoning from R-5 (Residential 5 District) to OI-1(D) (Transitional Office and Institutional District with a Development Plan); F/J-B

Zoning Committee's Recommendation and Vote: Approval (6-0)

Planning Department's Recommendation: Approval

Dick Hails, Acting City/County Planning Director, briefed Council on the staff report.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

### **Proponents**

Dan Jewell, representing the property owners, spoke in support of this rezoning.

No one spoke in opposition to this item.

Mayor Tennyson declared the public hearing closed.

**MOTION** by Council Member Blyth seconded by Council Member Langley to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-5 and placing same in and establishing same as OI-1(D); F/J-B was approved at 9:22 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**Note:** At this time during the meeting, Mayor Tennyson declared the public hearings on General Business Agenda Items #6 [Zoning Matter Case: A01-03 - Small Area Plan Amendment] and 7 [Zoning Matter Case P01-24 - Reveille, LLC] closed.

**August 6, 2001**

**SUBJECT: ZONING MATTER CASE P01-35 - TICON, INC. - 6.45 ACRES ON THE WEST SIDE OF THE OLD CHAPEL HILL ROAD/GARRETT ROAD INTERSECTION**

Case: P01-35

Applicant: Ticon, Inc.

Location: 6.45 acres on the west side of Garrett Road, approximately 800 feet north of the Old Chapel Hill Road/Garrett Road intersection; Street Atlas Page 35, D-3

Request: Rezoning from PDR 15.5 (Planned Density Residential, Maximum of 15.5 Dwelling Units Per Acre) to RM 16(D) (Multifamily Residential District, Maximum of 16 Dwelling Units Per Acre with a Development Plan)

Zoning Committee's Recommendation and Vote: Denial (4-2)

Planning Department's Recommendation: Approval

Dick Hails, Acting City/County Planning Director, provided Council with a handout which clarifies a plan consistency matter and noted that staff recommended approval.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

### **Proponents**

Attorney Jack Markham, representing the applicant, spoke in support of this rezoning highlighting the uses, the applicant has agreed to increase setback from the western property line from 25' to 35' and tree coverage. Also, Attorney Markham urged Council to approve this rezoning. [HANDOUT PROVIDED TO COUNCIL]

Eric Kaminetsky, representing the Eno River Unitarian Universalist Association, spoke in support of this rezoning due to the previous work done by Mr. McGee.

### **Opponents**

Tari Kountis, of 5009 Garrett Road, spoke in opposition to this rezoning noting that there would be too many people in a small area and expressed overcrowding concerns.

Bob Lincoln, of 5003 Garrett Road, spoke in opposition to this rezoning due to standing water and drainage concerns.

Todd Lincoln, of 5003 Garrett Road, expressed concern about this proposal due to buffer and traffic concerns and noted the two parking spaces per unit are inadequate.

### **Rebuttal**

Ron Horvath, of Ron Horvath & Associates, spoke in support of

**August 6, 2001**

this item reporting when the intersection of Garrett Road and Chapel Hill Road is complete, the level of service would be a C. Also, he noted the applicant would be widening Garrett Road in front of the project with a left-turn into the site, the secondary entrance will be a right in and right out because of site distance concerns. Also, he noted this project would not be adding to Mr. Lincoln's drainage concerns.

Attorney Jack Markham, representing the applicant, pointed out that the project would generate 21 additional students which is high because of the one-bedroom units and urged Council to look at the work Mr. McGee has done in the Durham community.

Mayor Tennyson closed the public hearing.

Wesley Parham, of the Transportation Department, reported that the estimated completion date would be between October 2001 and March 2002 for the University Drive/Garrett Road state project.

Council Member Cheek asked the developer how does the University Drive/Garrett Road state project relate to the build out on this project.

Attorney Jack Markham, representing the applicant, noted that either one of the dates will occur well before the applicant receives certificate of occupancy.

Ron Horvath, of Ron Horvath & Associates, reported that construction would begin next spring and build out would be nine months to a year.

Council Member McKissick disclosed that he leases space from Ticon Homes and attends the Unitarian Church and does not see any conflict and made comments relative to the density issue.

Council Member Hill expressed traffic and sidewalk concerns.

**MOTION** by Council Member McKissick seconded by Council Stith to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of PDR 15.5 and placing same in and establishing same as RM 16(D) was approved at 9:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick and Stith. Noes: Council Member Wagstaff. Absent: Council Member Larson.

**SUBJECT: ZONING MATTER CASE P01-11 - CITY OF DURHAM - 49.21 ACRES ON PAGE ROAD, ACROSS FROM COMSTOCK ROAD**

Case: P01-11 (Initial Zoning of Newly Annexed Territory)

Initiated by: City of Durham

Location: 49.21 acres on Page Road, across from Comstock Road;

**August 6, 2001**

Street Atlas Pages 52, D-2 and 53, A-2

Request: RD (Rural District)--Initial zoning of property newly annexed into the City--equivalent to existing County zoning

Zoning Committee's Recommendation and Vote: Approval (5-1)

Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Jacobs seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code to establish RD City Zoning for the above described newly annexed property was approved at 9:48 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**SUBJECT: ORDINANCE AMENDMENT REGARDING THE DEVELOPMENT OF SINGLE FAMILY NONCONFORMING LOTS UNDER CERTAIN CONDITIONS (TC116-01)**

Dick Hails, Acting City/County Planning Director, provided Council with a handout on this item.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to receive citizens' comments regarding the proposed amendment; and

To adopt "An Ordinance Amending Sections 5 and 19 of the Durham Zoning Ordinance to Allow the Development of Nonconforming Vacant Single Family Lots under Certain Conditions" was approved at 9:49 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

Joint City/County Planning Recommendation: Approval

Zoning Committee's Recommendation: Approval (7-0)

**Ordinance #12366**

**August 6, 2001**

**SUBJECT: ORDINANCE AMENDMENT REGARDING PROVISIONS TO DISCOURAGE THE USE OF "SPITE STRIPS" IN REZONING REQUESTS (TC122-01)**

Dick Hails, Acting City/County Planning Director, distributed a handout to Council on this item pertaining to the "spite strips."

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to receive citizens' comments regarding the proposed amendment; and

To adopt "An Ordinance Amending Section 15 of the Durham Zoning Ordinance to Prohibit the Use of 'Spite Strips' in Rezoning Request as a Way to Block Potential Protest Petitions" was approved at 9:49 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

Joint City/County Planning Recommendation: Approval

Zoning Committee's Recommendation: Approval (7-0)

**Ordinance #12367**

**[OTHER MATTERS]**

**SUBJECT: EASEMENT TO VERIZON SOUTH, INCORPORATED ON CITY TRACT #1500, PINEY WOOD PARK, PARCEL I.D. 522-01-005B, PIN #0728-01-37-1911**

**MOTION** by Council Member Jacobs seconded by Mayor Pro Tempore Clement to authorize the conveyance of an easement to Verizon South, Incorporated on City Tract #1500 at Piney Wood Park for \$5,000; and

To authorize the City Manager to make changes to the deed of easement that are consistent with the agenda item was approved at 9:50 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick and Wagstaff. Noes: Council Member Stith. Absent: Council Member Larson.

**SUBJECT: 2001 AND 2002 BEER AND WINE LICENSES**

A motion was made by Council Member Langley seconded by Council Member Cheek to approve the item as printed on the agenda.

**August 6, 2001**

Council Member Wagstaff expressed concerns about the following establishments requesting renewal of permit due to the number of complaints received: T&T Convenience Store located at 500 E. Main Street; Caroco Convenient Store located at 702 N. Alston Avenue; and Canal Street Grocery located at 508 Canal Street. Also, she requested the Police Department to investigate the Tiendos opening in the area that would create a problem for the neighborhood.

Council Member Wagstaff made a friendly amendment requesting the administration to write a letter to the ABC Board denying the permit to the above listed establishments based on their history.

Council Member Langley accepted the friendly amendment.

Council Member Hill asked the administration about the status of a previous letter sent to the ABC Board on behalf of Council concerning seeking revocation of ABC permit for certain establishments.

Council Member Cheek requested the administration to put a procedure in place so that these reviews would be done and consideration would be given to whether a permit should be issued or reissued.

Mayor Tennyson requested the administration to give a status report on the requests that were made at the next meeting.

**MOTION** Council Member Langley seconded by Council Member Cheek to accept a report on Beer and Wine Licenses from the Police Department; and

To approve the issuance of Beer and Wine Licenses to the following establishments listed below; and

To direct the administration to send a letter to the ABC Board requesting revocation of permit for the following businesses: T&T Convenience Store located at 500 E. Main Street; Caroco Convenient Store located at 702 N. Alston Avenue; and Canal Street Grocery located at 508 Canal Street was approved at 10:02 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

#### Beer & Wine Agenda

##### Restaurants

Armadillo Grill (renewal)	Bennett	Pointe	Grill
(renewal)			
Duke Univ. Bryan Center	4625	Hillsborough	
Road			

**August 6, 2001**

Ben Pace  
Beer & Wine On Premises  
Premises

Jonathan Lark  
Beer & Wine On

Bull City Grill (renewal)  
2530 Erwin Road  
Salvatore Casabianca  
Beer & Wine On Premises  
Premises

China Palace (renewal)  
5210 Garrett Road  
Alice Wai-Yung Wong  
Beer & Wine On

Chili's Hamburger Grill (renewal)  
(renewal)  
4600 Chapel Hill Blvd.  
Hwy  
Harold Trice  
Beer & Wine On Premises  
Premises

Crossing at the Park  
4023 Old Wake Forest  
Christopher Schiavone  
Beer & Wine On

Damon's Restaurant (renewal)  
(renewal)  
3019 Auto Drive  
Mary N. Conley  
Beer & Wine On Premises  
Premises

Panda Chinese Inn  
4600 Chapel Hill Blvd.  
Kam Pan Chow  
Beer & Wine On

Pasta Bella (renewal)  
(renewal)  
261 NC 54 West  
Bernard Spaugler  
Beer & Wine On Premises  
Premises

Nana's Restaurant  
2514 University Drive  
David Scott Howell  
Beer & Wine On

Outback Steakhouse (renewal)  
(renewal)  
3500 Mount Moriah Road  
Bill Poske  
Beer & Wine On Premises  
Premises

Pizza Hut (renewal)  
2107 E. Hwy 54  
Robert Hoover  
Beer & Wine On

Pizza Hut (renewal)  
(renewal)  
2710 Erwin Road  
Robert Hoover  
Beer & Wine On Premises  
Premises

Pizza Hut (renewal)  
5232 N. Roxboro Road  
Robert Hoover  
Beer & Wine On

El Rodeo of Durham (renewal)  
La Ilusion(renewal)  
905 W. Main Street  
Audias Aguirre  
Beer & Wine On Premises  
Premises

Restaurant Mexicano  
2000 Chapel Hill Road  
Carlos Guerrero Turcios  
Beer & Wine On

Romano's Macaroni Grill (renewal)  
(renewal)

Saladelia Café

**August 6, 2001**

4020 Chapel Hill Blvd.  
Drive  
Sern K. Sutton  
Beer & Wine On Premises  
Premises

Shanghai Restaurant (renewal)  
(renewal)  
3433 Hillsborough Road

Ah Lack Wong  
Beer & Wine On Premises  
Premises

Torero's (renewal)  
  
800 West Main Street  
Jose Arias  
Beer & Wine On Premises  
premises

Applebee's (renewal)  
(renewal)  
3400 Westgate Drive

Michael Olander  
Beer & Wine on premises  
premises

Bombay Grill (renewal)  
(renewal)  
2223-E Hwy 54  
Naval K. Sethi  
Beer & Wine on premises  
Premises

Bully's Cheeseburgers & Cheesesteaks  
Deli (renewal)  
1102 Broad Street  
Don Shepherd  
Beer & Wine on premises  
premises

China Express (renewal)  
2223 Hwy 54  
Shu Jen Chao  
Beer & Wine On Premises  
premises

Chopstix Chinese Restaurant (renewal)  
Services (renewal)  
2000 Avondale Drive  
Leo Lu-Hsien Chang  
Beer & Wine on premises

4201 University  
  
Robert Ghanem  
Beer & Wine On

Torero's II  
  
800 West Main Street

Jose R. Arias  
Beer & Wine On

Seasoned Ticket (renewal)

3211 Shannon Road  
Nick Piornack  
Beer & Wine on

Bandido's Mexican Café  
  
4711 Hope Valley Road

Maria Sustaita  
Beer & Wine on

Bull City Subs  
  
914 W. Main Street  
Bruce Rochelle  
Beer & Wine On

Cappy's Subs &  
  
1914 Sedwick Road  
Marion Setliff  
Beer & Wine off

China Inn (renewal)  
2701 Hillsborough Road  
Runlan Liu  
Beer & Wine on

Classic Food  
  
1716 Camden Avenue  
Peter J. Sieber  
Beer & Wine off

**August 6, 2001**

premises

Devines Restaurant & Sports Bar (renewal)  
904 W. Main Street  
Eugene Devine  
Beer & Wine on premises  
premises

Dragon Inn (renewal)  
3823 Guess Road  
So Ying Wong  
Beer & Wine on

Elmo's Diner (renewal)  
(renewal)  
776 Ninth Street  
Wayne Hodges  
Beer & Wine On Premises

El Comparde  
1700 Holloway Street  
Leobardo Molina  
Beer off premises

FJ's Emporium (renewal)  
(renewal)  
106 Morris Street  
Francis Jackson  
Beer & Wine off premises

Fuddruckers  
1804 MLK Parkway  
Cory Crowell  
Beer on premises

Grady's American Grill (renewal)  
Buffet (renewal)  
4010 Chapel Hill Blvd.  
Farzad Khoshnoodi  
Beer & Wine on premises  
premises

Hong Kong Super  
307 Foushee Street  
Lin Wen  
Beer & Wine on

The Jerk Pit Café (renewal)  
(renewal)  
317 W. Main Street  
Cornelius Grant  
Beer & Wine on premises  
premises

Joe's Crab Shack  
3724 Chapel Hill Blvd.  
Robert Stinnett  
Beer & Wine on

Kim Son Restaurant (renewal)  
(renewal)  
2425 Guess Road  
Ho Nguyen Guthrie  
Beer & Wine on premises

King's Sandwich Shop  
701 Foster Street  
Robert Sugg Jr.  
Beer on premises

La Marka  
3169 Hillsborough Road  
Daniel J. Rios  
Beer & Wine on premises

La Fondita (renewal)  
2000 Avondale Drive  
Rosalba Molina  
Beer on premises

Market Place (renewal)  
& Grill (renewal)  
2200 W. Main Street  
John Vann  
Beer & Wine on premises  
premises

Metro Express Market  
2500 Erwin Road  
Kelsie Compton  
Beer & Wine off

Mayflower Seafood Restaurant (new)  
(renewal)

Oh! Brian's

**August 6, 2001**

3742 Chapel Hill Blvd.  
Fu-Sum Chao  
Beer & Wine on premises  
premises

On the Border Mexican Café (renewal)  
Gourmet Catering (renewal)  
4600 Chapel Hill Blvd.  
Drive  
Alan Phillips  
Beer & Wine on premises  
premises

Neo-China (renewal)  
4015 University Drive  
Blvd.  
Edwin Erasga  
Beer & Wine on premises  
premises

Shanghai Restaurant (renewal)  
(renewal)  
3433 Hillsborough Road  
Blvd.  
Ah Lack Wong  
Beer & Wine on premises  
premises

Taverna Niko's (renewal)  
(renewal)  
905 W. Main Street  
Basil Bakis  
Beer & Wine on premises

Trippls (renewal)  
(renewal)  
918 W. Club Blvd.  
Rober Moorbatch  
Beer & Wine on premises  
premises

Yamazushi Japanese (renewal)  
Seafood & Steak (renewal)  
4711 Hope Valley Road  
George Yamazawa  
Beer & Wine on premises  
premises

Bamboo House Restaurant (renewal)  
(renewal)  
3600 N. Duke Street  
Nam Tom  
Beer & Wine on premises  
premises

4818 Hwy 55  
Todd Renshaw  
Beer & Wine on

Sage & Swift  
3401 University  
Amy Tornquist  
Beer & Wine off

Red Lobster (renewal)  
4416 Chapel Hill  
Jayme Campbell  
Beer & Wine on

Spartacus Restaurant  
4139 Chapel Hill  
John Drury  
Beer & Wine on

Tienda Mi Pueblo  
1418 Avondale Drive  
Heidi Burgess  
Beer off premises

West 94th Street Pub  
4711 Hope Valley Road  
Sara Bonner  
Beer & Wine on

Yamato Japanese  
1058 E. Club Blvd.  
Tung Tran  
Beer & Wine on

Cattleman's  
3211 Hillsborough Road  
Joe Mazzuro  
Beer & Wine on

**August 6, 2001**

Cosmic Cantina (renewal) (renewal) 1920 Perry Street Suite 114 Cosmos Beer & Wine on premises premises	Gibson's                      Steakhouse  4015      University      Drive  Scott Arrington Beer      &      Wine      on
Grand China Buffett (renewal) Restaurant (renewal) 3720 Mayfair Street Mei Yong Xiao Beer & Wine on premises premises	Hong      Kong      Chinese  300 Guess Road Thuyen Le Bang Beer      &      Wine      on
Italian Pizzeria Restaurant (renewal) Pizzeria Restaurant (renewal) 3823 Guess Road Salvatore Beer & Wine on premises premises	Italian  3500 Roxboro Road Renato Shiano Beer      &      Wine      on
Magnolia Restaurant (renewal) (renewal) 1002 Ninth Street Benjamin Barker Beer & Wine on premises premises	Piper's                      Deli  3219 Chapel Hill Road David Doyle Beer      &      Wine      on
Randy's Pizza (renewal) (renewal) 1813 Martin Luther King Pkwy Peter Ritz Beer & Wine on premises premises	Ruby                      Tuesdays  210 NC Highway 54 David Riley Jr. Beer      &      Wine      on
Ruby Tuesday (renewal)  1058 W. Club Blvd.  Rumbidzai Mudzingwa  Beer & Wine on premises premises	Sitar India Palace  3117 Shannon Road  Pereppadan Davis  Beer      &      Wine      on
Chuck E. Cheeses (renewal) 3724 Mayfair Street Tim Manual Beer & Wine on premises	
Convenient Stores	
Handi Mart (renewal)	Stop N Go (renewal)

**August 6, 2001**

1003 Fayetteville Street  
Wille Lee Buckley Jr.

Beer & Wine Off Premises

Bethesda BP (renewal)  
(renewal)  
1529 S. Miami Blvd.

R.E. Griffin  
Beer & Wine off premises

Bragtown BP (renewal)  
(renewal)  
3101 Roxboro Road

Paul Separk

Beer & Wine off premises

Buy Quick Food Mart #5 (renewal)  
#6 (renewal)  
103 Q. Cornwallis Road  
Avenue  
Khalid Saleh  
Beer & Wine off premises

Canal Street Grocery (renewal)  
(renewal)  
508 Canal Street

Lillian Mangum  
Beer & Wine off premises

East Campus BP (renewal)  
801 Broad Street

Paul Separk  
Beer & Wine off premises

Eno BP (renewal)  
(renewal)  
5292 Roxboro Road

Paul Separk  
Beer & Wine off premises

2526 Erwin Road  
Han Kwon Pang

Beer & Wine Off Premises

Boulevard BP  
2685 Chapel Hill Road

Dan Ireland  
Beer & Wine off premises

Buy Quick #2  
1204 Worth Street

Abdalla Al-Qasem

Beer & Wine off premises

Buy Quick Food Mart  
1603 S. Alston  
Khalid Saleh  
Beer & Wine off premises

Croasdaile BP  
1815 Hillandale Road

Dan Ireland  
Beer & Wine off premises

Duke Street BP (renewal)  
3804 N. Duke Street

Paul Separk  
Beer & Wine off premises

Fast Food Mart #2  
2947 Chapel Hill Road

Hakeem Saleh  
Beer & Wine off premises

**August 6, 2001**

Freeway BP (renewal)  
(renewal)  
308 S. Alston Avenue

Steve Sledge  
Beer & Wine off premises

Hills Market #2 (renewal)  
(renewal)  
201 E. Geer Street

Willie Hill  
Beer & Wine off premises

Hope Valley BP (renewal)  
  
4148 Old Chapel Hill Road  
Dan Ireland  
Beer & Wine off premises

Joyland BP (renewal)  
  
2406 Holloway Street  
  
R.E. Griffin  
Beer & Wine off premises

Lighthouse Food Mart #104 (renewal)  
(renewal)  
5300 Roxboro Road

Anantrai Kanani  
Beer & Wine off premises

Triangle BP (renewal)  
(renewal)  
5202 S. Miami Blvd.  
Steve Sledge  
Beer & Wine off premises

West Campus BP (renewal)  
  
2432 Erwin Road  
  
Paul Separk  
Beer & Wine off premises

Hills Open Air Market  
  
712 S. Alston Avenue

Othella Hill  
Beer & Wine off premises

Hilltop Food Mart  
  
204 N. Hardee Street

Raja Ahmad  
Beer & Wine off premises

Homestead BP (renewal)  
  
2918 Guess Road  
R.E. Griffin  
Beer & Wine off premises

M&M Mini Mart (renewal)  
  
2128 Angier Avenue  
  
Jameel Ali  
Beer & Wine off premises

Lowes Grove BP  
  
2317 E. NC Nwy 54

Steve Sledge  
Beer & Wine off premises

Umstead Road BP  
  
5109 Guess Road  
R.E. Griffin  
Beer & Wine off premises

West Durham BP (renewal)  
  
1922 W. Main Street  
  
Paul Separk  
Beer & Wine off premises

**August 6, 2001**

Westside BP (renewal) Supermarket (renewal) 3511 Hillsborough Road	Bull City 1109 E. Main Street
R.E. Griffin Beer & Wine off premises	Ahmed Mustafa B & W off premises
Academy Quick Stop (renewal) (renewal) 3006 Academy Road	Walker's Grocery 10031/2 Morehead Avenue
Rawhi Saleh Beer & Wine off premises	Frank Walker Beer & Wine off premises
Buy Quick Food Mart (renewal) #6 (renewal) 419 S. Briggs Avenue	Buy Quick Food Mart 1603 S. Alston Avenue
Shawqi Jaber Beer & Wine off premises	Khalid Saleh Beer & Wine off premises
Community Store (renewal) (renewal) 106 S. Guthrie Avenue Irene Fowler Beer & Wine off premises	Cozarts Fruit & Produce 2717 Cheek Road Paul Cozart Beer & Wine off premises
Holloway Service Store (renewal) (renewal) 1505 Holloway Street James Boyette Beer & Wine off premises	In and Out Food Mart 911 Fayetteville Street Azem Mansour Beer & Wine off premises
McDougald Terrace (renewal) (renewal) 832 Ridgeway Avenue George Cuttino Beer & Wine off premises premises	Mike's Stop-N-Go 3446 Hillsborough Road Michael Curry Beer & Wine on/off
New Evans Mini Mart (renewal) (renewal) 710 S. Alston Avenue Musharaf Syed Beer & Wine off premises	Old Oxford Express 407 Old Oxford Hwy Vinod Badhilwala Beer & Wine off premises
Oneal's Quickie Mart (renewal) (renewal) 1907 Cheek Road Emma O'neal Beer & Wine off premises	Quality Mart #43 2007 Presidential Drive Graham Bennett Beer & Wine off premises
Shop N Go Food Mart (renewal)	Stop N Go Food Mart

**August 6, 2001**

(renewal)  
4640 Hillsborough Road  
Street  
Billy Hudson  
Beer & Wine off premises

Swiftly Serve #1101 (new)  
#1(renewal)  
7880 Leonardo Drive  
George Allison  
Beer & Wine off premises

Town Deli (renewal)  
1432 Lawson Street  
Mohamed Mohamed  
Beer & Wine off premises

Gas Stations/Convenience Stores

A & P Mini Mart (renewal)  
1709 Glenn School Road  
Ashwin R. Sheth  
Beer & Wine Off Premises

B & P Convenience Center (renewal)  
(renewal)  
2211 N. Roxboro Road

Altaf Hussain  
Beer & Wine Off Premises

Crown Station NC #41 (renewal)  
(renewal)  
1007 N. Miami Blvd.

Sao Guilavogue  
Beer & Wine off premises

Circle K #8201 (renewal)  
1103 Miami Blvd.

Jeremiah Brown  
Beer & Wine Off Premises

E-Z Serve Convenience (renewal)  
(renewal)  
7840 Leonardo Drive  
George Allison  
Beer & Wine Off Premises

114 W. Enterprise

Mohamed Mohamed  
Beer & Wine off premises

Town Deli Grocery  
801 N. Alston Avenue  
Saeb Issa  
Beer & Wine off premises

TNT Convenience (renewal)  
500E Main St  
Azern Mansour  
Beer & Wine off premises

I-85 Amoco (renewal)  
2108 Avondale Drive  
Mofid Wahdan  
Beer & Wine Off Premises

Bell & Sons Amoco  
220 Lakewood Avenue

George Bell Jr.  
Beer & Wine Off Premises

Circle K #4656  
4161 Chapel Hill Road

Basil Udemadu  
Beer & Wine Off Premises

Circle K #8222 (renewal)  
3801 N. Duke Street

Basil Udemadu  
Beer & Wine Off Premises

Evans Food Mart  
2500 Fayetteville Street  
Ronald Evans  
Beer & Wine Off Premises

**August 6, 2001**

Joy Food #466 (renewal)  
(renewal)  
205 S. Hoover Street  
Mike Hughey  
Beer & Wine Off Premises

Parkview Mini Mart (renewal)  
(renewal)  
433 Pilot Street  
Iftikhar Hussain  
Beer & Wine Off Premises

Quality Mart #43 (renewal)  
(renewal)  
2007 Presidential Drive  
Street  
Graham Bennett  
Beer & Wine Off Premises

Taj Mart Amoco (renewal)  
(renewal)  
101 Cornwallis Road  
Iftikhar Taj Abbasi  
Beer & Wine Off Premises

Tops Texaco Mart #8 (renewal)  
(renewal)  
1016 West Main Street  
Terry Currin  
Beer & Wine Off Premises

Tops Texaco Mart #14 (renewal)  
(renewal)  
6007 Farrinton Road  
Charles Barbour  
Beer & Wine Off Premises

Triangle D Mart #4 (renewal)  
(renewal)  
403 Trinity Avneue  
Nidal Daluir  
Beer & Wine Off Premises

Wilco Food Mart #196 (renewal)  
(renewal)  
2502 Chapel Hill Blvd.  
Arthur Williams Jr.  
Beer & Wine Off Premises

Wilco Food Mart #191 (renewal)  
(renewal)  
803 E. Geer Street  
Arthur Williams Jr.  
Beer & Wine Off Premises

Lakewood Mini Mart

1925 Chapel Hill Road  
Effat Hussain  
Beer & Wine Off Premises

Quality Mart #34

5203 S. Miami Blvd.  
Graham Bennett  
Beer & Wine Off Premises

Sunshine Amoco Mart

601 W. Chapel Hill  
Iftikhar Abbasi  
Beer & Wine Off Premises

Tri Star Amoco Food Shop  
2900 Chapel Hill Blvd.  
Iftikhar Abbasi  
Beer & Wine Off Premises

Tops Texaco Mart #6

2110 Roxboro Road  
Deborah Utley  
Beer & Wine Off Premises

Tops Texaco Mart #7

921 N. Miami Blvd.  
Donald D. Moore  
Beer & Wine Off Premises

Wades Texaco Service

1911 Guess Road  
Robert Wade  
Beer & Wine Off Premises

Wilco Food Mart #195

1400 Miami Blvd.  
Arthur Williams Jr.  
Beer & Wine Off Premises

Wilco Food Mart #192

2905 Hillsborough Road  
Arthur Williams Jr.  
Beer & Wine Off Premises

**August 6, 2001**

Crown Station NC #34 (renewal)  
(renewal)  
2104 E. Chapel Hill Street  
Carolyn Benefield  
Beer & Wine Off Premises

Bowling Exxon  
4530 Roxboro Road  
Robert Bowling  
Beer & Wine Off Premises

Cornwallis Kicks 66 - 57222 (renewal)  
& Auto Center (renewal)  
3308 NC Hwy 55  
Andy T. Davis  
Beer off premises

Cross Creek BP  
3834 Guess Road  
Wayne Clayton  
Beer & Wine Off Premises

Homestead 66 (renewal)  
109 West Hwy 54  
Sidney R. Bush  
Beer & Wine off premises

Caroco (renewal)  
702 N Alston  
Altaf Hussain  
Beer & Wine Off Premises

Grocery Store - Retail/Wholesale

Costco Wholesale (renewal)  
(renewal)  
1510 North Pointe Drive  
Road  
Brian Keith Minion  
Beer & Wine Off Premises

Food Lion #274  
4711 Hope Valley  
Boris Beatty  
Beer & Wine Off Premises

Food Lion #234 (renewal)  
2400 Holloway Street  
Jessie Maye  
Beer & Wine Off Premises

Food Lion #150 (renewal)  
4215 University Drive  
Ray Holst  
Beer & Wine Off Premises

Food Lion #57 (renewal)  
(renewal)  
5279 Roxboro Road

Food Lion #1343  
2000 Chapel Hill Blvd.

Randall Walker  
Beer & Wine Off Premises

Robert Hunger  
Beer & Wine Off Premises

Food Lion #939 (renewal)  
4621 Hillsborough Road

Food Lion #885 (renewal)  
1908 Meredith Drive

Paul Van Doren  
Beer & Wine Off Premises

Enitan Kalejaiye  
Beer & Wine Off Premises

Food Lion #747 (renewal)  
3500 North Roxboro  
Kirby Allen  
Beer & Wine Off Premises

Food Lion #729 (renewal)  
3729 Wake Forest Hwy  
Mike Lemley  
Beer & Wine Off Premises

**August 6, 2001**

Food Lion #420 (renewal)	Food Lion #1099 (renewal)
3808 Guess Road	2930 W. Main Street
Don Baker	Matthew Stausbaugh
Beer & Wine Off Premises	Beer & Wine Off Premises
Harris Teeter #114 (renewal)	Harris Teeter #111
(renewal)	
3823 Guess Road	1720 Guess Road
Beer & Wine Off Premises	Beer & Wine Off Premises
Harris Teeter #172 (renewal)	Harris Teeter #140
(renewal)	
1817 Martin Luther King Pkwy	State Hwy 54 &
Rolling Road	
Beer & Wine Off Premises	Beer & Wine Off Premises
Winn Dixie #915 (renewal)	Winn Dixie #874 (renewal)
4743 S. Apex Highway	2000 Avondale Drive
Joseph Price	William Hobgood
Beer & Wine Off Premises	Beer & Wine Off Premises
Winn Dixie #925 (renewal)	Wellspring Grocery
(renewal)	
401 E. Lakewood Avenue	621 Broad Street
Samuel Melvin	Michael Ameg
Beer & Wine Off Premises	Beer & Wine Off Premises
King's Red & White Supermarket (renewal)	Kroger #314
(renewal)	
305 E. Club Blvd.	3117 Shannon Road
William Brinkley Jr.	J.R. Lowry
Beer & Wine off premises	Beer & Wine off premises
Kroger #332 (renewal)	Kroger #331
(renewal)	
3457 Hillsborough Road	202 NC Highway 54
David Gardner	William K. Walters
Beer & Wine off premises	Beer & Wine off premises
Kroger #366 (renewal)	Kroger #337
(renewal)	
1802 North Pointe Drive	5116 N. Roxboro Road
John Shore	Craig DeBerry
Beer & Wine off premises	Beer & Wine off premises

**August 6, 2001**

Hotels/Motels

Courtyard Marriott - Rtp (renewal)	Days Inn (new)
301 Residence Inn Blvd.	3460 Hillsborough
Road	
Melissa Lee	Ken Patel
Beer & Wine On Premises	Beer & Wine On
Premises	

Hilton Durham (renewal)	Durham Marriott
(renewal)	
3800 Hillsborough Road	201 Foster Street

Steven Jorns	Allen Nester
Beer & Wine On Premises	Beer & Wine On
Premises	

Hawthorn Suites (renewal)	Pulse Imperial
Center(renewal)	
300 Meredith Drive	4700 Emperor Blvd.
Modi Madhusudan	John Kane
Beer & Wine on premises	Beer on premises

Comfort Suites Hotel (new)	Doubletree Gues
Suites (renewal)	
5219 Page Road	2515 Meridian Pkwy
Ramesh Patel	Jeff Fowler
Beer on premises	Beer & Wine on/off
premises	

Hampton Inn (renewal)	Washington Duke Inn
(renewal)	
1816 Hillandale Road	3001 Cameron Blvd.
James Anastos	Don Defeo
Beer & Wine on premises	Beer & Wine on
premises	

Pharmacies

CVS Pharmacy #4444 (renewal)	Upchurch Drugs
(renewal)	
3300 Guess Road	5112 N. Roxboro Road
Leslie Person	David Upchurch
Beer & Wine Off premises	Beer & Wine off premises

Eckerd Drugs #1030(renewal)	Eckerd Drugs #8554
(renewal)	
1505 Broad Street	1311 NC Hwy 54
Bennie Newton	Beer & Wine off premises

Beer & Wine off premises

Eckerd Drugs #1015 (renewal)	Eckerd Drugs #8555
(renewal)	

**August 6, 2001**

1223 University Drive  
Beer & Wine off premises

3798 Guess Road  
Beer & Wine off premises

Eckerd Drugs #2847 (renewal)  
(renewal)  
3725 Wake Forest Hwy  
Beer & Wine off premises

Eckerd Drugs #1100  
200 North Lasalle Street  
Beer & Wine off premises

Eckerd Drugs #8551 (renewal)  
(renewal)  
4719 Apex Highway  
Beer & Wine off premises

Eckerd Drugs #3534  
101 Woodcroft Pkwy  
Beer & Wine off premises

Other

Arnie's Place Billiards Bar & Grill (renewal)  
Theatre (renewal)  
1725 Carpenter Fletcher Road  
Arnie Mariano  
Beer & Wine on premises  
premises

Carolina  
309 W. Morgan Street  
Henry Scherid  
Beer & Wine on

Esquire Lounge (renewal)  
(renewal)  
704 Rigsbee Avenue  
Cornelius Hines  
Beer & Wine on premises  
premises

R. David Thomas Center  
One Science Drive  
Evelyn Stapleton  
Beer & Wine on

48 Hours Sports Bar LLC (renewal)

Las Palmas (renewal)

2825 N. Roxboro Road  
John Land  
Beer & Wine on premises  
premises

3814 N. Duke Street  
Saul Alfaro  
Beer & Wine on

Montas International Lounge (renewal)  
Lodge #317 (renewal)  
2223 E. HWY 54

Bull City Elks  
2311 S. Alston Avenue

Pilar Montas  
Beer & Wine on premises  
premises

Elmer Waddell  
Beer & Wine on

Doyles Sports Bar (renewal)  
(renewal)  
3219-A Chapel Hill Road

Trackside LLC  
4310 S. Miami Blvd.

David Doyle  
Beer & Wine on premises  
premises

James Tulai  
Beer & Wine on

Volume Services, Inc. (renewal)  
Grenadier Club (renewal)

Zafa Temple

**August 6, 2001**

409 Blackwell Street

Jamie Jenkins  
Beer & Wine on premises  
premises

American Legion Post #7 (renewal)  
(renewal)  
406 E. Trinity Avenue  
Blvd.  
C.R. Castor  
Beer & Wine on premises  
premises

Ye Old Tavern (renewal)

5504 Chapel Hill Blvd.

Raymond Williams  
Beer & Wine on premises  
premises

Coleman's (renewal)  
(renewal)  
1006 E. Pettigrew Street  
Ronald Coleman  
Beer & Wine on premises  
premises

Croasdaile Country Club (renewal)  
(renewal)  
3800 Farm Gate Avenue  
Drive  
Amy Baker  
Beer & Wine on premises  
premises

El Toro Club (renewal)  
Club (renewal)  
608 South Hoover Road  
Bruce Cotton  
Beer on premises

Lakeshore Golf Course (renewal)  
& Grill (new)  
4621 Lumley Road  
Marvin Utley III  
Beer on premises

Willowhaven Country Club (renewal)  
Tennis Club (renewal)  
253 Country Club Drive  
Beer & Wine on premises

2312 S. Alston Avenue

Charles Wilkins  
Beer & Wine on

AMF Durham Lanes

4508 Chapel Hill

Darryl Brunson  
Beer & Wine on

Club Premier (new)

600 Willard Street

Arthur Barnes Jr.  
Beer & Wine on

Cobra's Entertainment  
801 Gilbert Street  
Teddy Jacobs  
Beer & Wine on

Duke Faculty Club  
Corner of Science

Alan Rader  
Beer & Wine on

Hope Valley Country

3803 Dover Road  
William Berutti  
Beer & Wine on premises

Too J's Tavern

3642 Shannon Road  
Geraldo Silvestri  
Beer & Wine on premises

Woodcroft Swim &

1203 Woodcroft Pkwy  
George Fredindo  
Beer & Wine on premises

**August 6, 2001**

At this time during the meeting, Mayor Tennyson asked that Item #20 pulled from Consent Agenda be discussed at this time.

**[ITEM PULLED FROM CONSENT AGENDA]**

**SUBJECT: CHAPEL HILL STREET/MAIN STREET TWO-WAY CONVERSION  
ENGINEERING DESIGN SERVICES - KIMLEY-HORN AND ASSOCIATES**

Barbara Namkoong, representing West Main Street Condominium Association, noted that they would like to be involved in the design process relating to the conversion of Chapel Hill Street/Main Street and any other improvements/changes that occur in downtown Durham.

**MOTION** Council Member Jacobs seconded by Mayor Pro Tempore Clement to authorize the City Manager to execute a contract with Kimley-Horn and Associates in an amount not to exceed \$645,000 and to authorize the expenditure of up to \$645,000 from the Chapel Hill/Main Street Improvement Account was approved at 10:03 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

**[SUPPLEMENTAL ITEM]**

**SUBJECT: REVIEW OF LOANS AND NON-CITY AGENCY CONTRACTS**

**MOTION** by Mayor Pro Tempore Clement seconded by Council Member Jacobs to authorize the City Manager to proceed with an issuance of Request for Proposals (RFPs) for review of the City's loans and Non-City agency contracts was approved at 10:04 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Larson.

There being no further business to come before the City Council, the meeting was adjourned at 10:04 p.m.

Linda E. Bratcher  
Deputy City Clerk

D. Ann Gray, CMC  
City Clerk

August 6, 2001